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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

KEVIN FERNANDEZ,

Plaintiff,

v.

GLENN DOLEZAL et al.,

Defendants.

3:16-cv-00076-MMD-VPC

ORDER

I. DISCUSSION

On August 8, 2016, this Court entered a screening order which stayed the case for ninety (90) days and referred the case to the Inmate Early Mediation Program. (ECF No. 3 at 9). On October 19, 2016, the parties engaged in mediation but did not reach a settlement. (ECF No. 7). On October 28, 2016, Plaintiff filed a first amended complaint. (ECF No. 9). On November 7, 2016, the Office of the Attorney General filed a status report indicating that settlement had not been reached and informed the Court of its intent to proceed with this action. (ECF No. 10).

The Court will screen Plaintiff's first amended complaint and issue a separate screening order. If any claims survive screening, the Court will not refer the case to mediation again. Instead, the Court will issue a service order with the screening order. Plaintiff should be aware that screening of his first amended complaint will take several months to complete. If Plaintiff would like to proceed with the litigation process now and have the Court serve Defendants in his original complaint, he may file a notice with the Court indicating his desire to proceed immediately on his original complaint.

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7 IT IS FURTHER ORDERED that if Plaintiff does not file a notice with this Court on or
8 before Wednesday, November 30, 2016, or indicates that he intends to proceed on his first
9 amended complaint, the Court will issue a separate screening order on the first amended
10 complaint. The screening process will take several months.

DATED: This 9th day of November, 2016.

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